

## **REMARKS**

### **Status of the Claims**

Claims pending in the above-identified application are Claims 8, 26-45, and 50-54. Claims 1, 9 and 14 are amended. Claims 8, 26-39, 41-43, and 45 are amended. Claims 46-49 are cancelled without prejudice. Claims 50-54 are new. The amended claims and new claims do not introduce new matter into the above-identified application. Support for the amended and new claims may be found throughout the specification.

### **The Information Disclosure Statement**

In the Office Action mailed June 5, 2002, the Examiner indicated that copies of two references cited in the Information Disclosure Statement by Applicants were missing from the above-identified application's and its parent's files. These references are "A Crystallizable Organometallic Complex Containing Titanium and Aluminum", Journal of the American Chemical Society, Vol. 79, No. 11, pp. 2975-2976 (1957) and "Bis-(Cyclopentadienyl)-Titanium Dichloride-Alkylaluminum Complexes as Catalysts for the Polymerization of Ethylene", Journal of the American Chemical Society, Vol. 79, No. 18, pp. 5072-5073 (1957). Enclosed herewith are respective copies of these references. Applicants kindly request the Examiner to acknowledge receipt of these references and indicate that they have been considered by initialing in the appropriate blocks of the previously submitted Form PTO-1449 and providing Applicants with a copy thereof.

### **The Election/Restriction Requirement**

Non-elected Claims 46-49 are cancelled without prejudice. Accordingly, Applicants respectfully assert that this is a complete reply to the election/restriction requirement.

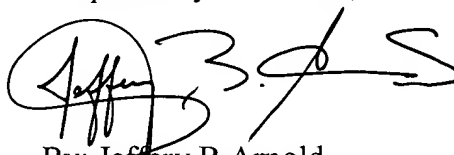
**The Rejection Under Obviousness-Type Double Patenting**

Claims 8 and 26-45 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-24 of U.S. Patent No. 6,316,553. Filed herewith is a Terminal Disclaimer in compliance with 37 CFR 1.321. Respectfully, Applicants assert that this rejection is obviated and request it be withdrawn.

**Conclusion**

In view of the above amendment and remarks, Applicants respectfully assert that the rejection of the claims as set forth in the Office Action has been addressed and overcome. Applicants further respectfully assert that all claims are in condition for allowance and requests that an early notice of allowance be issued. If issues may be resolved through Examiner's Amendment, or clarified in any manner, a call to the undersigned attorney at (404) 745-2461 is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffery B. Arnold", with a large, stylized "S" or "J" flourish extending to the right.

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